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\*\*E-filed 8/3/06\*\*

ETS-Lindgren L.P., successor in interest to  
Rantec Power Systems Inc.,

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Attorneys for Factory Mutual Insurance  
Company and FM Global Technologies

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

LOCKHEED MARTIN  
CORPORATION,

Plaintiff,

v.

RFI SUPPLY, INC., formerly known as  
RFI COMMUNICATIONS &  
SECURITY SYSTEMS, et al.,

Defendants.

**CONSOLIDATED**

Case Nos. CV-00-20002 (JF)  
C-03-CV-04617 (JF)

**STIPULATION TO CONTINUE  
HEARING DATE ON MOTION  
TO ALTER OR AMEND  
JUDGMENT AND CASE  
MANAGEMENT CONFERENCE**

Old Date: July 28, 2006  
New Date: September 29, 2006  
Time: 10:00 a.m.  
Judge: Hon. Jeremy Fogel

Complaint  
Filed: December 20, 1999

Trial Date: TBA

1 WHEREAS, ETS-Lindgren L.P., successor in interest to Rantec Power  
2 Systems, Inc. ("Rantec") has filed a Motion And Motion To Alter, Amend Or Modify  
3 Judgment Entered In Favor Of Factory Mutual Research Corporation  
4 (Frcp 59(E)) Or In The Alternative, Motion For Leave To File A Motion For  
5 Reconsideration, which motion is fully briefed and set to be heard on July 28, 2006;  
6

7 WHEREAS, Factory Mutual Insurance Company ("FMIC") has filed a  
8 Motion For Relief Pursuant To Rule of Civil Procedure 60(a), which motion is fully  
9 briefed and set to be heard on July 28, 2006;  
10

11 WHEREAS, Rantec, FMIC, and FM Global Technologies, LLC (FMRC)  
12 participated in a mediation on July 13-14, wherein an agreement in principal was  
13 reached that, if approved by all parties, would resolve all outstanding claims between  
14 them in the matters pending before this Court, as well as a matter pending in the  
15 United States District Court for the District of Massachusetts;  
16

17 WHEREAS, the Court had scheduled a case management conference for July  
18 28, 2006;  
19

20 WHEREAS, the parties believe that it would be prudent and expeditious to  
21 continue Rantec's motion and the case management conference for a period of  
22 approximately 60 days so that the parties may focus on preparing and executing a  
23 mutually agreeable settlement agreement and mutual release resolving all claims  
24 between them;  
25  
26  
27  
28

1 WHEREAS, the Court has indicated that Rantec's motion and the case  
2 management conference could be continued to September 29, 2006, at 10:00 a.m.

3 THEREFORE, IT IS HEREBY STIPULATED by and between the parties that  
4 Rantec's Motion And Motion To Alter, Amend Or Modify Judgment Entered In  
5 Favor Of Factory Mutual Research Corporation and the case management conference  
6 are hereby continued to Friday, September 29, 2006, at 10:00 a.m. in Courtroom No.  
7  
8 3.  
9

10  
11 Dated: July 31, 2006

DILLINGHAM & MURPHY, LLP

12  
13 By: /s/  
14 EDWARD E. HARTLEY  
15 Attorneys for ETS-Lindgren L.P. successor in  
16 interest to Rantec Power Systems Inc.

17  
18 Dated: July 31, 2006

ROBINS, KAPLAN, MILLER & CIRESI LLP

19  
20 By: /s/  
21 SCOTT G. JOHNSON  
22 Attorneys for Third-Party Defendants Factory  
23 Mutual Insurance Company and Factory  
24 Mutual Global Technologies

25  
26 **IT IS SO ORDERED.**

27  
28 Dated: 8/3/06

  
HONORABLE JEREMY FOGEL  
United States District Judge